

## BLAKELY SOKOLOFF TAYLOR &amp; ZAFMAN LLP

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## FACSIMILE COVER SHEET

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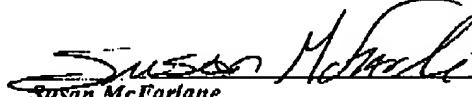
Deliver to: Dcsire, Gregory M., USPTO Art Group: 2625  
 Facsimile No.: (571) 273-8300 Date: November 8, 2005  
 From: William W. Schaal, Reg. No. 39,018  
 Our Docket No.: 80398P361 Number of pages 15 including this sheet.  
 Application No.: 09/769,686 Filing Date: 1/24/2001  
 Docket Due Date(s): 11/8/2005

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: <u>Response</u> ( <u>11</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief ( <u>  </u> pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: <u>  </u> ( <u>  </u> pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: <u>  </u>
<input type="checkbox"/> Assignment & Cover Sheet ( <u>  </u> pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of Facsimile	<input type="checkbox"/> Reply Brief ( <u>  </u> pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA ( <u>  </u> pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: <u>  </u> sheets, <u>  </u> figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: <u>  </u>	<input type="checkbox"/> Response to Written Opinion ( <u>  </u> pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 ( <u>  </u> pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other: <u>  </u>	<input checked="" type="checkbox"/> Transmittal Letter

## CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

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 Susan McFarlane 11/8/2005  
 Date

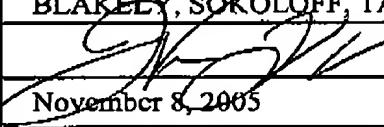
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/769,686
		Filing Date	January 24, 2001
		First Named Inventor	Eric Edwards
		Art Unit	2625
		Examiner Name	Desire, Gregory M.
Total Number of Pages in This Submission	14	Attorney Docket Number	80398P361

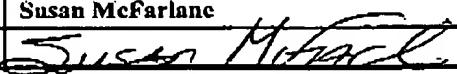
<b>ENCLOSURES (check all that apply)</b>		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
		Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	William W. Schaal, Reg. No. 39,018  BLAKELEY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	November 8, 2005

**CERTIFICATE OF MAILING/TRANSMISSION**

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Typed or printed name	Susan McFarlane		
Signature		Date	November 8, 2005

Based on PTO/SB/21 (04-04) as modified by Blakeley, Sokoloff, Taylor & Zafman (wtr) 08/04/2004.  
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<b>FEE TRANSMITTAL</b> <b>for FY 2005</b>		<i>May 6, 2005</i>	
Patent fees are subject to annual revision.			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Complete if Known	
<b>Application Number</b>		09/769,686	
<b>Filing Date</b>		January 24, 2001	
<b>First Named Inventor</b>		Eric Edwards	
<b>Examiner Name</b>		Desire, Gregory M.	
<b>Art Unit</b>		2625	
<b>Attorney Docket No.</b>		80398P361	
<b>TOTAL AMOUNT OF PAYMENT</b>		(\$)	0.00

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  Nonc  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayment of fee(s)  Credit any overpayments under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

## **FEE CALCULATION**

## 1. EXTRA CLAIM FEES

Total Claims		Extra Claims	Fee below	Fee Paid
Independent Claims	51	5 <sup>+</sup> = 0	50.00	\$0.00
Multiple Dependent	3	3 <sup>+</sup> = 0	200.00	\$0.00

Large Entity		Small Entity		
Fee	Fee	Fee	Fee	See Description
Code	(S)	Code	(S)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	160	Multiple Dependent claim, if not pair
1204	300	2204	160	**Reissue independent claims over original patent
1205	360	2206	150	**Reissue claims in excess of 20 and over original patent
		<b>SUBTOTAL (1)</b>		<b>(\$)</b> <b>0.00</b>

\*or number previously omit. *Y* or *Y+* or *Y-*. For Reactions, see below.

## 2. ADDITIONAL FEES

**2. ADDITIONAL VECO**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	190	2051	65	Surcharge - late filing fee or cash
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.
2063	130	2053	130	Non-English specification
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,590	2254	780	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	800	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1461	1,610	2451	1,610	Petition to institute a public use proceeding
1480	130	2460	130	Petitions to the Commissioner
1807	50	1807	50	Proceeding fee under 37 CFR 1.17(a)
1806	180	1808	180	Submission of Information Disclosure Stmt
1810	700	1809	305	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	700	2810	305	For each additional invention to be examined (37 CFR § 1.129(b))
Other fee (specify)				

**Fee Paid**

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	William W. Schaeff	Registration No. (Attorney/Agent)	39,018	Telephone	(714) 557-3800
Signature				Date	11/08/05

Based on PTO/SB/17 (12-04) as modified by Blankley, Scholten, Taylor & Zaitman (wir) 12/15/2004.  
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<b>FEE TRANSMITTAL for FY 2005</b>		Complete if Known	
Patent fees are subject to annual revision.		09/769,686	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date January 24, 2001	
TOTAL AMOUNT OF PAYMENT (\$)		First Named Inventor Eric Edwards	
0.00		Examiner Name Desire, Gregory M.	
		Art Unit 2625	
		Attorney Docket No. 80398P361	

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  None  Other (please identify): \_\_\_\_\_  
 Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayment of fee(s)  Credit any overpayments  
 under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

**FEE CALCULATION**

**1. EXTRA CLAIM FEES**

		Extra Claims	Fee from below	Fee Paid
Total Claims	51	51* = 0	50.00	\$0.00
Independent Claims	3	3* = 0	200.00	\$0.00
Multiple Dependent				

Large Entity	Small Entity		
Fee Code (\$)	Fee Code (\$)	Fee Description	
1202 50	2202 20	Claims in excess of 20	
1201 200	2201 100	Independent claims in excess of 3	
1203 360	2203 180	Multiple Dependent claim, if not paid	
1204 300	2204 150	**Resue independent claims over original patent	
1205 300	2205 150	**Resue claims in excess of 20 and over original patent	
<b>SUBTOTAL (1)</b>		(\$)	<b>0.00</b>

\*\*or number previously paid, if greater. For Reissues, see below

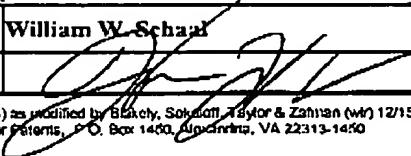
**2. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
2053 130	2053 130	Non-English specification	
1251 120	2251 60	Extension for reply within first month	
1252 450	2252 225	Extension for reply within second month	
1253 1,020	2253 510	Extension for reply within third month	
1254 1,590	2254 795	Extension for reply within fourth month	
1255 2,160	2255 1,080	Extension for reply within fifth month	
1401 600	2401 260	Notice of Appeal	
1402 500	2402 250	Filing a brief in support of an appeal	
1403 1,000	2403 500	Request for oral hearing	
1451 1,510	2451 1,510	Petition to Institute a public use proceeding	
1460 130	2460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
1809 790	1809 395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)		<b>SUBTOTAL (2)</b>	
		(\$)	

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	William W. Schau	Registration No. (Attorney/Agent)	39,018	Telephone	(714) 557-3800
Signature				Date	11/08/05

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wir) 12/15/2004.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Appl. No. 09/769,686  
Amtd. Dated 11/8/2005  
Reply to Office Action of 08/08/05

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application. No.	:	09/769,686	Confirmation No. 5370
Applicant	:	Eric Edwards	
Filed	:	01/24/2001	
TC/A.U.	:	2625	
Examiner	:	Gregory M. Desire	
Docket No.	:	80398.P361	
Customer No.	:	8791	

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**AMENDMENT**

Sir:

In response to the Office Action of August 8, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.